

DRAFT

MINUTES

Waterworks Advisory Committee

Meeting Date: January 16, 2003

Meeting Location: Sydnor Hydrodynamics, Richmond, VA

Committee Members (or representatives) present: See the attached attendance log

Others Present:

Dr. Robert B. Stroube, State Health Commissioner  
Bill Wright, SERCAP  
Mark Tufaro, SCC  
Terry Wagner, DEQ  
State Shaw, VDH

The meeting was called to order at 10:00 a.m. by Ray Jackson, Chair, with Tom Gray as Secretary.

The minutes of November 21, 2002, were adopted as written.

Legislation

The membership discussed with each other and Dr. Stroube various legislation in the General Assembly as follows:

Water Policy – SB 1221, SB 1245, SB 1259, and HB 2401.

SB 1221 is an Administration (Governor's) bill and it is strongly supported by VDH. This bill is the result of the Administration/State Water Commission's Technical Advisory Committee. This bill is desired by the Governor as to a means to get some timely legislation.

Dr. Stroube handed out copies of the Governor's Water Supply Initiative and Executive Order 39.

HB 2565 – Lead free water meters. The WAC discussed whether or not this bill was really needed, especially with the new AWWA standards relating to this. Ray Jackson was disappointed that no one from the water industry was present at the House Committee to discuss this bill. Jerry Peaks, VDH, had been called upon by the House Committee for information. Sequentially, the bill was amended to apply to new 2" or less meters.

HB 1532 – Landfill siting in relation to drinking water. DEQ is the lead agency but Dr. Stroube said VDH has provided comments. The WAC did not believe the bill was needed.

HB 2156 – Water Supply RLF amended to allow VDH to enter into a MOU with DEQ. The intent is that advantages could be found more drinking water funds could reach citizens. This is a Governor's Bill. Dr. Stroube stated that if anything starts to develop he will bring it back to the WAC. Dr. Stroube and Bob Taylor pointed out that the bill does not mandate a MOU. Ray Jackson pointed out that the water industry is generally not happy with DEQ and feel that anything like this is a start for DEQ takeover.

Dr. Stroube shared that there was no intent there, that the Governor and Delegate Phillips, the bills patron had discussed this issue. The WAC identified VRA as a concern. Dr. Stroube stated that VRA had no role here. Bob Taylor said that the patron's activities past and present give comfort to the status of the RLF and to VDH. Dr. Stroube indicated that the patron and Governor has budget amendments to add back to the RLF the \$1.1 million cut in October 2002.

HB 2602 moves VDH wastewater plan review to DEQ. It is a Governor's bill and VDH strongly supports. Likely 5 or 6 staff will be moved.

SB 966 is a VDH bill to establish receiverships at waterworks. The bill gives VDH another tool to ensure safe drinking water is delivered. There is no mandate in the bill to form another waterworks to participate in this process.

Tom Gray stated that part of this process entails obtaining EPA's approval to use some DWSRF set aside funds to supplement funds to pay for receiver services.

HB 1505 – Emergency Water Supply Permit. Although the bill does not state or define an emergency it is believed the intent is to ease waterworks burden to meet drought problems.

HB 2118 and 2119 – Criminal Background checks on employees is introduced for Henrico County. Dr. Stroube stated the Governor has a broader omnibus bill related to bioterrorism.

HB 2315 – Environmental Permit Fees related to removing the present cap on maximum fee DEQ is allowed to collect. The WAC did not believe this would pass. VRWA has an oppose position.

After this major discussion, Dr. Stroube left the meeting at 11:31 am.

#### Chair Report

Ray Jackson asked the status of the proposed King William Reservoir. At present Newport News is seeking a VMRC permit.

#### Future Issues

Tom Gray advised the every 4 year National Drinking Water Needs Survey is underway. On January 15<sup>th</sup> EPA mailed out the forms to Virginia waterworks serving 3,300 or more people. VDH drinking water staff will work with the localities to complete the survey. Afterwards the survey will return to EPA's contractor for data entry. Although VDH and EPA want the surveys back to VDH by late February, the EPA will allow until November 15, 2003 to finalize a waterworks' submittal.

Elmer Handy questioned inconsistency among the drinking water field offices regarding unaccounted for water. Bob Taylor stated that the field offices were told to advise waterworks that federal rules (SWTR) by 2005 require such information to be available. One field office issued some letters that went beyond advice and those letters have been withdrawn. The area of inconsistency is covered in the Division of Drinking Water's Strategic Plan.

### DEQ Update

Terry Wagner reported that the James River Surface Water Management Designation draft regulations of November 25<sup>th</sup> were approved by the Governor. However legislation (SB 1221, etc.) may negate the draft so no action will go forward until after the General Assembly adjourns.

Executive Order 39 requires a Drought Assessment Plan by April 1, 2003. Terry Wagner is gathering a technical advisory group consisting of 20 plus members including VDH, AWWA, VACO, VML, VRWA, Water Well Association, etc.

Drought update – surface reservoirs are having their first overflows since 1999. No area in Virginia has a reported impact but there is no information on shallow wells. However the rate of well failure has decreased dramatically as measured by VDH Replacement Well permits.

Charlie Jeckell handed out 2 news articles on drought.

### Security

Bob Taylor reported a one-month delay in the final development of the Vulnerability Self-Assessment Tool (VSAT) software. Mark Anderson was unavailable to discuss this as he is orienting a new employee for the operator training Expense Reimbursement Grant (ERG). This position is to last up to 5 years.

The medium sized (>3,300) PWSs will do this vulnerability assessment by June 30<sup>th</sup>. Those small PWS (2,000-3,300) will likely use VSAT. The very small PWS might use the written checklist. VRWA is using the checklist in training.

VDH has applied to EPA for security funding but is awaiting approval. VDH's application has 2 years of salary dollars to pay for a security coordinator position.

### MTBE Testing

Past Virginia law has required MTBE testing which many believe is unnecessary. This will be discussed at the WAC's March meeting.

### VDH Update

Strategic Plan - Bob Taylor indicated that it is about 65% completed. Per question the Employee Recognition program was discussed. It has been completed and incentives are all non-cash.

Operation Permit Fees – Tom Gray provided the normal status report indicating \$2.247 million collected from billings so far this year. \$124,210 in arrears have also been collected.

DWSRF Program Loan Closings

Tom Gray provided a handout indicating 84 closings to date with a total value of \$100,500,525, a milestone. The WAC discussed the significance of this milestone, motion was made, seconded and approved to send a letter to Dr. Stroube requesting that public relations activity be done on this.

DCLS

No report

DHCD

Construction grant applications are due March 26<sup>th</sup>. Dry Well Program now involves about 45 localities; however only 10 have actually signed up.

Other

Steve Shaw noted that the committee to revise the Water Works Regulations needs volunteers from the WAC.

Next Meeting

Melvin Collins will find a site in Danville.

With no further business, it was motioned and unanimously carried to adjourn at 1:40 p.m.

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Thomas B. Gray, Secretary

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Ray Jackson, Chair

# WATERWORKS ADVISORY COMMITTEE - REPRESENTATIVE ATTENDANCE REPORT

x = present

o = absent

# = substitute sent

Year: 2003

<u>Organization</u>	<u>Representative</u>	<u>Meeting</u>					
		<u>Jan</u>	<u>Mar</u>	<u>May</u>	<u>July</u>	<u>Sept</u>	<u>Nov</u>
AWWA	Ray A. Jackson	x					
VWWA	Gary F. Burner	o					
CEC	Edwin G. Snyder	x					
Faculty	Gary S. Schaffran	x					
Water Operator Class I	Melvin Collins (started Sept).	x					
VSPE	Charles J. Jeckell	x					
Community Waterworks Owner	Jesse L. Royall, Jr.	x					
NTNC Representative	Robert J. Robinson	x					
VRWA	Elmer Handy (Started in November)	x					
SE/RCAP	Mary Terry	#					
VML	Bob Benninger	o					
VACO	Nelson Reid	x					
Citizen	Marsha Parkinson (Started in November)	x					
Ex-Offico Members:							
Director, Office of Environmental Health Services (VDH) Robert W. Hicks		o					
Director, Div. of Consolidated Laboratory Services, Dept. of General Services Representative: Tom York (Substitute: Ed Shaw)		o					
Director, Division of Drinking Water (VDH) Robert B. Taylor (effective Dec. 25, 1999)		x					
Dept. of Environmental Quality Representative: Larry G. Lawson, Director, Office of Water Resource Management		#					
Dept. of Housing & Community Development Representative: Elizabeth Boehringer (effective Jan. 1, 2001)		x					
State Corporation Commission	John Stevens (Substitute: Marc Tufaro)	#					
VWEF	Herb Dawson	x					
WAC Secretary: Thomas B. Gray		x					